



CERTIFICATE OF MAILING

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Suzanne Skinner
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Suzanne Skinner
(Signature of person mailing correspondence)

Serial Number:	10/701,883	Filing Date:	November 5, 2003
Title:	VERTEBRAL BODY REPLACEMENT AND METHOD OF USE		
Art Unit:	3738	Examiner:	Prone, Christopher D.
Our Reference Number:	M112 1071.1		

4th Information Disclosure Statement
Form PTO/SB/08A
Copy of Item A
Return Postcard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 10/701,883
Applicant Muhanna et al.
Filed November 5, 2003
Title : Vertebral Body Replacement & Method of Use
Art Unit : 3738
Examiner : Prone, Christopher D.
Docket No. : M112 1071.1
Customer No. : 26158

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

4th INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant hereby voluntarily discloses the information listed on the attached Forms PTO/SB/08A and 08B to the Commissioner for Patents. The citation of information on the attached Forms, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.97 and 1.98. A copy of each cited item is enclosed unless stated otherwise hereinbelow.

By the Waiver in the OG Notice dated August 5, 2003, the Patent Office established that "[t]he Office ... waives the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

With a view to the above, the following summarizes the status of copies of listed information provided with the instant Information Disclosure Statement:

- a copy of Item H is attached hereto.
- copies of Items A-G are not attached.

Notice under MPEP 2001.06(b) – Related Co-pending U.S. Applications

Applicant requests that the Examiner take note of and review, as appropriate, the below-listed patent application. Applicant does not waive any confidentiality enjoyed by the below-listed patent application.

U.S. Patent Application No. 10/403,598, Filed 3/31/2003

Citation of this information does not constitute an admission that any of the materials are available as a reference, does not constitute an admission of priority, does not constitute an admission that any information cited or provided hereby is "material," and does not constitute a waiver of any right applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise. Without limiting the foregoing, Applicant specifically reserves the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer.

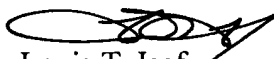
This statement further should not be construed as a representation that an exhaustive search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct a thorough review of the information, and to form independent opinions as to its significance.

It is respectfully requested that the Examiner initial and return copies of the enclosed form(s) PTO/SB/08 and indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

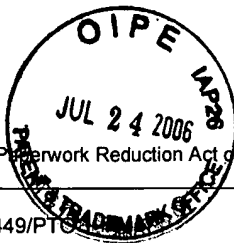
The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. 09-0528.

Respectfully submitted,

Date: July 20, 2006


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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/701,883
				Filing Date	November 5, 2003
				First Named Inventor	Muhanna
				Art Unit	3738
				Examiner Name	Prone, Christopher D.
Sheet	1	of	1	Attorney Docket Number	M112 1071.1

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Date	Name	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A	6,096,081	08/2000	Grivas et al.	
	B	6,143,033	11/2000	Paul et al.	
	C	6,322,588	11/2001	Ogle et al.	
	D	6,111,164	08/2000	Rainey et al.	
	E	4,714,469	12/1987	Kenna, Robert V.	
	F	6,277,149	08/2001	Boyle et al.	
	G	6,270,528	08/2001	McKay, William F.	

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	H	WO 9725945	07/1997	PCT	623	17.11		

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER'S SIGNATURE:

DATE CONSIDERED: